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Keep state politics out of P.G. fish refuge

By JIM WILLOUGHBY
Guest Commentary

In 1931, the Legislature granted forever to the city of Pacific Grove its tidelands and submerged lands to a depth of 60 feet, provided that no part of the city's refuge would be used, employed, leased or disposed of in any manner whatsoever for commercial, industrial or revenue-producing uses or purposes.

In 1963, the refuge was legislatively designated as the Pacific Grove Marine Gardens Fish Refuge, the only fish refuge in the state.

Apparently these deed restrictions have simply been forgotten in the wake of present day commercialization and exploitation of our city's preeminent marine resources.

For years, the aquarium industry used the Pacific Grove Refuge as a convenient stockroom to obtain its display animals. Likewise, the abalone industry continues to harvest tons of kelp in the refuge for commercial purposes.

During the past seven years, the resident-supported Tidepool Coalition, a grassroots ad hoc marine conservation organization, has championed protection, preservation and restoration of the Point Pinos Tidepools within the Pacific Grove Marine Garden Fish Refuge and Monterey Bay National Marine Sanctuary. More than 5,000 residents and visitors along the recreational trail and at the Pacific Grove post office stopped to sign petitions for a "no take" reserve.

The coalition's ultimate goal has always been to achieve "state marine reserve status," where all extractive activities are prohibited. This is the highest level of protection, not unlike that of Point Lobos and Stanford's Hopkins Marine Station in Pacific Grove. The ultimate decision will be made by the Fish and Game Commission.

In 1999, the Legislature passed the Shelley-Keeley Marine Life Protection Act Initiative to restructure and reorganize California's marine parks, refuges and reserves for better management purposes and, it is hoped, to better conserve the state's dwindling marine resources. The state Department of Fish and Game is implementing California's MLPA Initiative, beginning the process on the Central Coast.

This sweeping legislation mandates that stakeholders with a special interest in marine issues be included on the MLPA Central Coast Regional Stakeholders Group. However, it is perceived that some of the stakeholders selected by the Department of Fish and Game are those who are primarily interested in protecting their own special interests and profits derived from the city's refuge.

Not only the residents of Pacific Grove, but the conservation-minded public on the Monterey Peninsula should be alerted that the stakes are high as the department has already changed the name of the refuge without formal notification and compromised the protections in place for the

Pacific Grove Marine Garden Fish Refuge.

The Tidepool Coalition questions whether politics was a factor in the stakeholder selection process, as the law mandates "public participation in the process." Certainly, with its broad grassroots activities including a successful tidepool Initiative, the coalition should have representation on the Central Coast panel. We are seeking an explanation from the governor and Legislature for the reasons an environmental organization seeking to protect the city's fragile intertidal ecosystem, which includes the diminishing sea otter habitat, was excluded.

Nevertheless, most of the conservation-minded citizens of the Monterey Peninsula do not want the refuge or even part of it to revert to the unmonitored and indiscriminate harvesting of five years ago, before the coalition took to the streets with its successful Tidepool Preservation Initiative.

The poorly managed, irresponsible stripping of marine animals from the refuge was permitted by the Department of Fish and Game under the banner of "scientific purposes." The department's local permit officer was far too permissive in issuing collection permits for purposes that could only remotely be deemed scientific or educational.

Even the aquarium industry harvested marine animals from our refuge for public exhibits and entertainment with a "scientific collecting permit." One might question whether this violated the grant deed of 1931 prohibiting commercial uses.

It appears the Department of Fish and Game is carrying out a policy where all stakeholders will get a piece of the pie or a special use of our resource. As the process winds up on the Central Coast, it seems Pacific Grove's refuge is simply on the chopping block, waiting to be piecemealed into different sections with different rules and regulations.

This is not only going to be an enforcement nightmare, but a giant step backward in local marine conservation. It is clear the future of our Marine Gardens Fish Refuge is in jeopardy.

Historically, the coalition sees this as an issue that is not far distant from the principle that tore this country apart in 1860. Although it is on a much smaller scale than what Abraham Lincoln wanted to preserve, the residents of Pacific Grove want to maintain, protect and preserve the integrity of their refuge, one of the most majestic ecological tideland continuums in the western hemisphere.

Keeping in mind that even though the Tidepool Coalition was not included in the Central Coast stakeholder's panel, it will continue to work in the public's interest to support local laws, and ultimately preserve and restore the tidepools to their former grandeur.

Jim Willoughby chairs the Tidepool Coalition.

The full article will be available on the Web for a limited time:
<http://www.montereyherald.com/mld/montereyherald/news/opinion/13217960.htm>

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